



— Montana Office of Public Instruction —

Linda McCulloch
State Superintendent

MONTANA STATEMENT ON REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA)

We represent a wide cross section of the Montana education community from teachers and administrators and parents to school boards and the statewide elected school official. We do not think there is time nor energy in this election year for Congress to consider carefully all the changes that need to be made to the Elementary and Secondary Education Act (ESEA), but we want to go on record about the major issues that must be addressed next year when the ESEA is reauthorized to fix the problems caused by No Child Left Behind.

Three intents of No Child Left Behind were valuable (though these are not unique to NCLB):

- Student assessment to provide data on which to base decisions,
- Emphasis on parental involvement, and
- Paying attention to subgroups of students.

Reauthorization of ESEA needs to keep these emphases, especially the focus on closing the achievement gap between certain subgroups of children and the student population as a whole.

However, there are at least seven parts of NCLB that actually harm the ability of public schools to teach children well.

- (1) The 100 % proficiency target by 2014 must be eliminated. If unchanged, it will make every public school a "failure," without helping individual children. This in turn harms public support for education by giving the completely false impression that public schools are not providing a good education.
- (2) Reading and mathematics are important, but multiple measures are needed. How well does the school teach science? History? Government? The arts, library skills, and all the other subjects? Can the students not only take tests but apply knowledge? Engage in critical thinking? Work with others? Gain knowledge of physical activity, nutrition and health? Emotional maturity? Is it not important for our students to have work readiness skills? What about measuring how individual children are progressing, rather than using only "snapshots" at particular grades? Students need 21st century technology skills and instruction far broader than just reading and mathematics to prepare for the global market place.

The unintended consequences of having only two measures is shown by a recent national study by the Center on Educational Policy: 44% of elementary schools both increase time spent on reading and math and also cut time from science, social studies, art and music, physical education, recess and/or lunch. Without multiple measures we do not even know whether the gains in reading and math are at the expense of other core academic subjects.



But again, even multiple measures will not improve any reauthorized ESEA unless the 2014 100% proficiency standard is completely eliminated.

- (3) The so-called "highly qualified teacher" federal rules create problems without improving education. Special education teachers are never going to complete five or six majors, or a program of comparable academic rigor, in order to teach different high school subjects to a class of children with special needs. These rules wreak havoc on Montana broad-field social studies majors as well. In addition, many small schools currently employ teachers who teach in multiple areas. Students who receive instruction in our rural schools with teachers with broad field preparation perform as well as students in our larger schools with more specialized teachers. Furthermore, Montana students consistently score above the national average in science, math and reading. In order to meet the highly qualified teacher rules, small schools would have to hire more staff or replace current staff with teachers who have multiple majors. School funding limitations and teacher shortages make this impossible.
- (4) NCLB has changed local control to federal control. While the federal government only supplies about 10% of education funding, the U.S. Department of Education is playing a dominant role in education that is and should remain the states' prerogative. In Montana, that means a significant loss of local control, which is written into our state Constitution. While there may be some who believe that the federal government always knows best, we haven't seen evidence of that in the education field.
- (5) The funding for NCLB is widely acknowledged as insufficient to meet the mandates of the law. We can provide specifics in virtually every line item of NCLB, a law which is "overmandated and underfunded." In addition, NCLB expects all students to achieve proficiency, yet the major federal program (IDEA) to fund one of the subgroups most in need of services to achieve that goal is sadly underfunded. It is ironic that 40% funding of the average per pupil expenditure for IDEA is called "full funding," and tragic that current federal funding is under 18%.
- (6) The Adequate Yearly Progress (AYP) structure, with its escalating goals, focuses on subgroups with unhealthy results. One subgroup can cause a school to fail, and by 2014 one student can cause a school to fail. A school district can fail even when all the individual schools pass. This harms schools and students in multiple ways:
 - (a) When schools or districts are labeled as "failures" they lose public support, which means they cannot pass mill levies. Since state and federal funding is inadequate, this can be devastating.
 - (b) Special education students deserve special attention and focus, but any testing strategy should be solely directed by Individual Education Plans, not by NCLB requirements. English Language Learners should have similar individual plans. Students with disabilities already face some resentment because inadequately funded IDEA mandates require local schools to take money from the regular budget. Now the ability for these groups to cause the "failure" of a school makes them a bigger target.
 - (c) While we strongly support focusing on subgroups of children such as ethnic minorities, the AYP structure means they can be blamed for the failure of a

school. This has already caused increased racial tension in Montana. Education should make it easier for us to live together, not harder.

(d) The intensity of interventions on the novice/nearing proficient category has reduced programming for and attention to the advanced students.

(e) The NCLB method of labeling schools completely ignores key factors in student performance. For example, school performance is often impacted by factors that have nothing to do with the quality of the teaching provided. The poverty factors of the children have the most direct correlation with student success.

In the 2007 4th grade NAEP math test, these were the results using one economic filter to view the data:

<u>4th Grade NAEP Math</u>	<u>Score</u>
Students not eligible for free lunch	249
Students eligible for reduced-price lunch	236
Students eligible for free lunch	225

Every NAEP test at every level shows similar results—students do better when they come from families that make enough money to be ineligible for free or reduced-price lunches.

Not surprisingly, a list of schools that do not meet Adequate Yearly Progress also corresponds rather directly to a list of communities that exhibit the four factors of poverty – depth of poverty, concentration of poverty, generational extent of poverty and geographic isolation from the nearest non-poverty population center. Even with abundant resources, those schools would have trouble meeting the standards because of factors beyond their control.

NCLB "accountability" uses all sticks and no carrots. This is as effective as the philosophy on the old poster: "The floggings will continue until morale improves."

- (7) The NCLB "solutions" for schools that fail to meet AYP do not work in Montana.
- (a) There is no such thing as "choice" of schools in rural areas when the nearest school may be 40 miles away. In urban areas the "choice" only leads to resource allocation problems without improving educational opportunity.
 - (b) Outside tutoring is nonexistent in rural areas. In urban areas, individual tutoring is often effectively practiced by schools, but cannot be funded by NCLB dollars. Studies have shown that outside tutoring has little result on test scores because the tutoring is not aligned to students' classroom instruction.
 - (c) Restructuring is illegal under the Montana Constitution which requires local control of schools. Even if it were legal, restructuring would be devastating to impoverished rural schools that already have great trouble recruiting and retaining teachers, administrators and staff.

For these reasons, we do not support reauthorizing No Child Left Behind, but instead support a reauthorization next year of ESEA, incorporating these common sense guidelines:

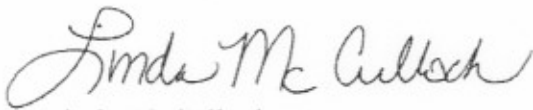
- (1) Eliminate the 100% proficiency goal. Make any goals realistic.

- (2) Allow states to implement multiple measures of success, which may include growth models, test scores in multiple subject matter areas, graduation rates, and parental engagement, among others.
- (3) Return responsibility for determining "highly qualified teachers" to the states.
- (4) Put local school boards back in charge of public education in Montana (or return to state control depending on each state's Constitution). The federal government should partner with states for general support and supplementation for special populations.
- (5) Fully fund helpful federal programs like IDEA. In addition, since federal school improvement funding will always be far less than the need, give states adequate resources to address the schools picked by the states as "most in need." Then provide "best practices" technical help to those schools, using state and national resources. Then see what works and keep doing it and see what doesn't and stop it. Education needs to become a priority for funding in the United States if we are to continue to compete in the global economy.
- (6) Remove the AYP structure of labeling schools as failures and doing so because of the underperformance of subgroups of students. We support full reporting of how subgroups are doing and using that information to help them. We support implementing effective research-based methods to close the achievement gap of subgroups of children. Create a system of accountability designed to encourage parents to be active partners in their children's education. The NCLB AYP structure only damages the schools and makes them less able to help the children.
- (7) When there are "consequences" for poor performance, make them helpful for improving schools rather than the opposite. That requires flexibility, since "big city" solutions are often useless in rural settings, and vice versa. For example, students would be helped by federal financial assistance to provide incentives for recruiting and retaining quality educators in high poverty and geographically isolated schools. Also, research has proven that high quality, research-based professional development and sustainable educator induction and mentor programs have a positive effect on student achievement.

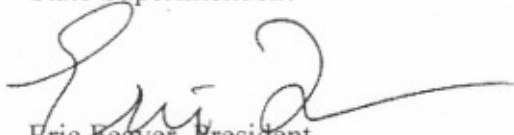
And, outside of the framework of ESEA:

- (8) Use other federal and state resources to attack the sources of poverty at the root, including active promotion of high-quality education, community economic development, and working with tribal governments where appropriate to bring cultural forces to bear on the issues. Schools alone cannot solve basic societal issues.

As educational entities we often disagree among ourselves on important matters because of our different perspectives. However, we are unanimous in our view of how NCLB is detrimental to Montana education, and on the general guidelines that Congress should use to reauthorize ESEA next year to be helpful to public education in Montana and the country.



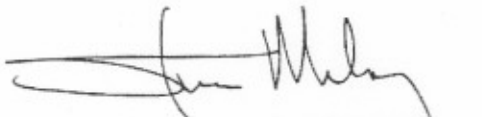
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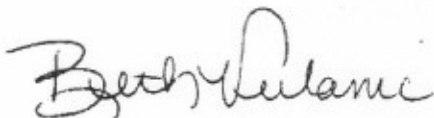
Eric Feaver, President
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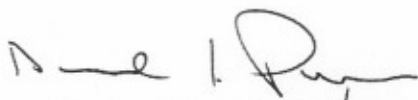
Lance Melton, Executive Director
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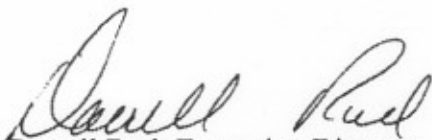
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